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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 01, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

OSVALDO MORENO,

Defendants.

4:21-CR-6028-MKD-6

SECOND SUPERSEDING
INDICTMENT

Vios.: 21 U.S.C. §§ 841(a)(1), (b)(1)(A)
(ii), (vi), (viii), 846
Conspiracy to Distribute 50
Grams or More of Actual (Pure)
Methamphetamine, 400 Grams or
More of Fentanyl, and 5
Kilograms or More of Cocaine
(Count 1)

21 U.S.C. § 841(a)(1),
(b)(1)(A)(viii)
Distribution of 50 Grams or
More of Actual (Pure)
Methamphetamine
(Counts 2 and 4)

21 U.S.C. § 841(a)(1), (b)(1)(C)
Distribution of Fentanyl
(Count 3)

21 U.S.C. § 841(a)(1),
(b)(1)(B)(vi)
Distribution of 40 Grams or
More of Fentanyl
(Count 5)

21 U.S.C. § 841(a)(1),
(b)(1)(B)(vi), 18 U.S.C. § 2
Possession with the Intent to
Distribute 40 Grams or more of
Fentanyl
(Count 6)

21 U.S.C. § 853
Forfeiture Allegations

The Grand Jury charges:

COUNT 1

Beginning on a date unknown, but by November 2019, and continuing until on or
about August 3, 2021, in the Eastern District of Washington and elsewhere, the
Defendants, [REDACTED]

[REDACTED]

[REDACTED] OSVALDO MORENO, [REDACTED]

[REDACTED]

[REDACTED]), and other individuals, both known and unknown to the
Grand Jury, did knowingly and intentionally combine, conspire, confederate, and agree
together with each other to commit the following offense: distribution of 50 grams or
more of actual (pure) methamphetamine, 400 grams or more of a mixture or substance
containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
propanamide (a/k/a Fentanyl), and 5 kilograms or more of a mixture or substance
containing a detectable amount of cocaine, all Schedule II controlled substances, in
violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(ii), (vi), and (viii), 846.

COUNT 2

On or about May 18, 2021, in the Eastern District of Washington, the Defendant, [REDACTED], did knowingly and intentionally distribute 50 grams or more of actual (pure) Methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii).

COUNT 3

On or about May 18, 2021, in the Eastern District of Washington, the Defendant, [REDACTED], knowingly and intentionally distributed a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a Fentanyl), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).

COUNT 4

On or about June 8, 2021, in the Eastern District of Washington, the Defendant, [REDACTED], did knowingly and intentionally distribute 50 grams or more of actual (pure) Methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii).

COUNT 5

On or about June 29, 2021, in the Eastern District of Washington, the Defendant, [REDACTED], knowingly and intentionally distributed 40 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a Fentanyl), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(vi).

COUNT 6

On or about July 21, 2021, in the Eastern District of Washington, the Defendant, [REDACTED], knowingly and intentionally possessed with intent to distribute 40 grams or more of a mixture or substance containing a

1 detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide
2 (a/k/a Fentanyl), a Schedule II controlled substance, in violation of 21 U.S.C.
3 § 841(a)(1), (b)(1)(B)(vi), and 18 U.S.C. § 2.

4 NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

5 The allegations contained in this Second Superseding Indictment are hereby
6 re-alleged and incorporated by reference for the purpose of alleging forfeitures.

7 Pursuant to 21 U.S.C. § 853, upon conviction of an offense of violation of
8 21 U.S.C. § 841(a)(1), as charged in Counts 1 – 6 of this Second Superseding
9 Indictment, the Defendants, [REDACTED]

10 [REDACTED]
11 [REDACTED] OSVALDO MORENO, [REDACTED]
12 [REDACTED]
13 [REDACTED] shall
14 forfeit to the United States of America any property constituting, or derived from,
15 any proceeds obtained, directly or indirectly, as the result of such offense(s) and
16 any property used or intended to be used, in any manner or part, to commit or to
17 facilitate the commission of the offense(s). The property to be forfeited includes,
18 but is not limited to:

19
20 Defendant [REDACTED] (Counts 1 – 5)

- 21 - A Sundance Industries .25 caliber Auto pistol, Model A-25, serial
22 number: 097311

23 Defendant [REDACTED] (Count 1)

- 24 - \$161,669.00 U.S. currency;
25 - \$5,140.00 U.S. currency;
26 - a Colt 01070BSTS .45 caliber pistol, serial number: CV48283;
27 - a DTI-15, AR-15 Rifle, Caliber 5.56mm, serial number: DTI-
28 S159723; and
- an Arsenal AK-47 Rifle, Model: SAM7UF, serial number:
BA547063

1 If any forfeitable property, as a result of any act or omission of the
2 Defendant(s):

- 3 (a) cannot be located upon the exercise of due diligence;
4 (b) has been transferred or sold to, or deposited with, a third party;
5 (c) has been placed beyond the jurisdiction of the court;
6 (d) has been substantially diminished in value; or
7 (e) has been commingled with other property which cannot be divided
8 without difficulty,
9

10 the United States of America shall be entitled to forfeiture of substitute property
11 pursuant to 21 U.S.C. § 853(p).

12
13 DATED: this ____ day of March 2022.

14
15 A TRUE BILL

16 _____
17 Foreperson
18
19

20 _____
21 Vanessa R. Waldref
22 United States Attorney
23

24 _____
25 Stephanie Van Marter
26 Assistant United States Attorney
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28